

PHILLIP A. TALBERT  
United States Attorney  
ALEXIS KLEIN  
ROSS PEARSON  
Assistant United States Attorneys  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
  
Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MARCUS MILLER,  
REGINALD JONES,  
JIMMY VAN II, and  
JAZZMINE CAMPBELL,  
  
Defendants.

CASE NO. 2:23-CR-00150 DJC

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

DATE: January 18, 2024

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

**STIPULATION**

1. This matter was set for status conference before the Honorable Daniel Calabretta on January 18, 2024. ECF No. 51. Time has been excluded through and including January 18, 2024, as to all of the above-captioned defendants. *Id.*

2. By this stipulation, the government and defendants Marcus Miller, Reginald Jones, Jimmy Van II, and Jazzmine Campell (“the parties”) request to set a status conference on April 11, 2024, and to exclude time between January 18 and April 11, 2024, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) Discovery associated with this case and produced to date includes reports, photographs, and other digital evidence which has been either produced directly to counsel and/or made available for inspection and copying.

1           b)     The government has additional discovery to produce and/or make available  
2 additional discovery that is voluminous and includes reports, subpoena returns, social media  
3 evidence, and other digital evidence.

4           c)     Counsel for the defendants Miller, Jones, Van II and Campbell desire additional  
5 time to consult with their respective clients, review the current charges, conduct investigation  
6 and research related to the charges, to review and copy discovery for this matter, and to  
7 otherwise prepare for trial. Counsel for the defendants believe that the failure to grant the above-  
8 requested continuance would deny them the reasonable time necessary for effective preparation,  
9 taking into account the exercise of due diligence.

10          d)     The government joins the request to continue.

11          e)     Based on the above-stated findings, the ends of justice served by continuing the  
12 case as requested outweigh the interest of the public and the defendant in a trial within the  
13 original date prescribed by the Speedy Trial Act.

14          f)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
15 et seq., within which trial must commence, the time period of January 18, 2024, to and including  
16 April 11, 2024 is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
17 T4] because it results from a continuance granted by the Court at defendants' request on the basis  
18 of the Court's finding that the ends of justice served by taking such action outweigh the best  
19 interest of the public and the defendant in a speedy trial.

20          4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
21 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
22 must commence.

23                 IT IS SO STIPULATED.

24     ///

25     ///

26     ///

27     ///

1 Dated: January 15, 2024

PHILLIP A. TALBERT  
United States Attorney

2  
3 /s/ ALEXIS KLEIN  
4 ALEXIS KLEIN  
5 ROSS PEARSON  
6 Assistant United States Attorneys

7 Dated: January 15, 2024

8 /s/ LINDA HARTER  
9 LINDA HARTER  
10 Counsel for Defendant  
11 MARCUS MILLER

12 Dated: January 15, 2024

13 By: /s/ DAVID FISCHER  
14 DAVID FISCHER  
15 Counsel for Defendant  
16 REGINALD JONES

17 Dated: January 15, 2024

18 By: /s/ TASHA CHALFANT  
19 TASHA CHALFANT  
20 Counsel for Defendant  
21 JIMMY VAN II

22 Dated: January 15, 2024

23 By: /s/ KYLE KNAPP  
24 KYLE KNAPP  
25 Counsel for Defendant  
26 JAZZMINE CAMPBELL

**ORDER**

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court vacates the January 18, 2024, status conference and resets the matter for a status conference on April 11, 2024, at 9:00 a.m, as to defendants Miller, Jones, Van II, and Campbell. The Court also finds that based on the facts set forth in the parties' stipulation, the failure to exclude time between January 18, 2024 and April 11, 2024, would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. Time from January 18, 2024, to and including April 11, 2024, is excluded from the computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4, as to defendants Miller, Jones, Van II, and Campbell.

IT IS SO FOUND AND ORDERED this 16<sup>th</sup> day of January 2024.

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE